

424 Rec'd PCT/PTO 07 AUG 2000

P19428.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jean-Philippe ROCHER, et al.

Appl. No.: 09/530,580

I.A. Filed: November 4, 1998

For: NOVEL ALKYLAMINO DERIVATIVES



Group Art Unit: Unknown

Examiner: Unknown

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. § 1.56 and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, the following commonly assigned applications are brought to the attention of the Examiner:

U.S. Application No. 08/793,430

U.S. Application No. 09/125,027 (believed to be abandoned)

Applicants note that in accordance with 37 C.F.R. § 1.97(a)(2)(iii), copies of these applications are not attached hereto. The Examiner is invited to review the file wrapper of these U.S. patent applications, including the specification, claims, disclosure statements, and documents cited therein, at the U.S. Patent and Trademark Office. Of course, if for any reason, the Examiner cannot locate this applications, Applicants will provide any requested materials, if possible.

The following additional information is brought to the attention of the Examiner:

(1) EP 0 092 391, which corresponds to Japanese Patent Publication (Kokai) 58-180481, which is cited and discussed in the application beginning at page 3, line 19;

- (2) U.S. Patent No. 4,215,119, which is cited and discussed in the application beginning at page 3, line 19;
- (3) WO 87/02035, which is cited and discussed in the application beginning at page 3, line 19;
- (4) WO 87/02359, which is cited and discussed in the application beginning at page 3, line 19; and
- (5) WO 87/02666, which is cited and discussed in the application beginning at page 3, line 19.

Applicants submit herewith a copy of a Translation of the International Preliminary Examination Report issued by the International Bureau of WIPO with respect to counterpart PCT Application No. PCT/JP98/04973, the report being mailed April 28, 2000. In particular, the International Examiner cited:

- (6) Ucar et al., "2(3H)-benzoxazolone and 2(3H)-benzothiazolone derivatives: Novel, potent and selective σ_1 receptor ligands", Eur. J. Pharmacol., 335, No. 2/3 pp 267-273 (1997);
- (7) JP 5-507918A. A copy of this Japanese Patent is not being provided, but rather for the Examiner's convenience, Applicants submit herewith a copy of US Patent No. 5,340,824 which corresponds to and is believed to be a family member of JP 5-507918A;
- (8) JP 54-151966, A. A copy of this Japanese Patent is not being provided, but rather the Examiner's convenience, Applicants submit herewith a copy of US Patent No. 4,227,915 which is believed to be a family member of JP 54-151966; and
- (9) JP 55-15455A with an English abstract.

With respect to Document Nos. (6) to (9), the International Examiner stated that the

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documents neither disclose nor suggest the compounds disclosed in claims 1 to 16 of the application, or their salts, or their hydrates, or their solvates, or use of these in medicines and that therefore the inventions of claims 1 to 19 of this application appear to have novelty and an inventive step.

Copies of the above-listed documents are enclosed as is a completed copy of the PTO-1449 Form listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the first official communication.

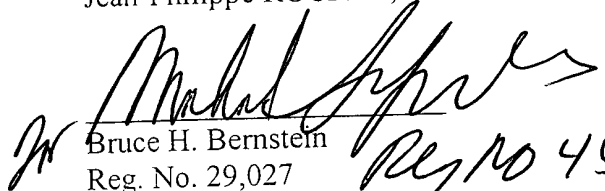
Applicants note that while this Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received a first action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed documents is required under 37 C.F.R. 1.97(b)(3).

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However, if the first action on the merits has been mailed prior to the filing date of this Information Disclosure Statement, Applicants hereby authorize the Commissioner to charge any fees necessary to ensure consideration of the documents cited herein to Deposit Account No. 19-0089.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,
Jean-Philippe ROCHER, et al.


Bruce H. Bernstein
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August 7, 2000
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Form PTO-1449

U.S. Department of Commerce
Patent and Trademark OfficeAtty. Docket No.
P19428Serial No.
09/530,580INFORMATION DISCLOSURE STATEMENT
BY APPLICANT
(Use several sheets if necessary)Applicant
Jean-Philippe ROCHER et al.Filing Date
November 4, 1998Group
Unknown

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|--------------------|----------|----------------|-------|----------|-------------------------------|
| | 4 2 1 5 1 1 9 | 07/29/80 | MENTRUP et al. | | | |
| | 5 3 4 0 8 2 4 | 08/23/94 | GUEREMY et al. | | | |
| | 4 2 2 7 9 1 5 | 10/14/80 | D'AMICO | | | |
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FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
|--------------------|----------|-------------|-------|----------|-----------------------|
| * 0 0 9 2 3 9 1 | 10/26/83 | E. P. O. | | | |
| 8 7 / 0 2 0 3 5 | 04/09/87 | W. I. P. O. | | | |
| 8 7 / 0 2 3 5 9 | 04/23/87 | W. I. P. O. | | | |
| 8 7 / 0 2 6 6 6 | 05/07/87 | W. I. P. O. | | | |
| * 5 5 0 7 9 1 8 | 11/11/93 | JAPAN | | | |
| 5 4 1 5 1 9 6 6 | 11/29/79 | JAPAN | | | |
| 5 5 / 1 5 4 5 5 | 02/02/80 | JAPAN | | | |
| | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|---|--|
| 1 | Ucar et al., "2(3H)-benzoxazolone and 2(3H)-benzothiazolone derivatives: Novel, potent and selective σ_1 receptor ligands", Eur. J. Pharmacol., 335, No. 2/3 pp 267-273 (1997). |
| 2 | English Language Abstract of JP 55-15455. |
| | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.